

# The Appleton Crescent.

BY RYAN, BRO. &amp; CO.

"The Union, the Constitution, and the Enforcement of its Laws."

CITY OF APPLETON, WIS., SATURDAY, MAY 11, 1861.

VOL. IX, NO. 3.

## The Appleton Crescent

PUBLISHED ON SATURDAY OF EACH WEEK BY

Ryan, Bro. &amp; Co.

JAMES RYAN, H. D. RYAN, J. A. WATROUS.

T. R. M. S.

TO CITY SUBSCRIBERS, \$1.50 per year, Post Office and

Mail subscribers the same, INvariably in

ADVANCE.

EVERY PAPER WILL BE SENT

FROM THIS OFFICE UNLESS ADVANCE

PAYMENT IS MADE!

All kinds of produce taken in payment, at the

regular market prices.

RYAN, BRO. &amp; CO.

## HARD TIMES

## MADE EASY

## GOOD NEWS for the UNEMPLOYED.

## 1000 CHANCES TO MAKE MONEY!

ONE MILLION DOLLARS

WORTH OF

## WATCHES,

## JEWELRY

AND

## SILVER-PLATED WARE,

TO BE DISPOSED OF ON

## AN ANTIRENEWABLE

AND

## Original Plan.

## 2500 AGENTS

## WANTED!

All persons desiring of securing an Agency in this

## NEW ENTERPRISE

Should send their names at once, enclosing a

dime stamp to pay postage, and receive by return:

## A PREMIUM

## CATALOGUE

Containing

## OUR INDUCEMENTS:

Which all

## A Rare Chance

TO MAKE

## MONEY

Without risk, together with

## Full Particulars

Relative to this

## NOVEL PLAN.

To insure prompt and satisfactory dealings, do

not all orders to

## George G. Evans,

436 Chestnut St., Phila.

## NOW IS THE TIME TO GET IT

## The Best, Cheapest, &amp; Most Popular!

MOORE'S RURAL NEW YORKER, the

Largest and Most Useful Agricultural

Periodical in the United States. The price of the

A. D. MOORE, 100 Broadway, New York.

# PANIC PRICES

## Appleton Crescent.

CITY OF APPLETON.

Saturday, May 11, 1861.

Inaugural Message

or

MAYOR BATEMAN.

Gentlemen of the Common Council:

It again becomes my duty to act as the presiding and executive officer of your honorable body. And while I could but wish that some one more competent for this responsible position had been elected, I shall endeavor to the best of my ability to meet the responsibility of this important trust. I hope and expect that I shall have the cooperation of every member of the Council. Gentlemen, in reviewing the past year we can I think with a commendable degree of pride, congratulate each other that we have made some advancement toward the prosperity of our city. We are connected with the rest of the world by rail road, and notwithstanding the financial pressure of the times, we have by a united effort and being nobly sustained by the citizens of Appleton, and the untiring energy and perseverance of the officers of the road, brought the Iron Horse into our city much sooner than the most sanguine anticipated, and although the Common Council did, however, in their wisdom, granted more license for selling intoxicating drinks than I think the wants of the city will be required from time to time to make demand. I think if there had been less appropriations to meet the interest of a small portion of the cost of the road, yet I would call your attention to another fact in regard to intoxicating drinks. The citizens of Appleton, by an almost unanimous voice voted to bond the city to the amount of not exceeding \$20,000 to aid the company in this important work. The Common Council in accordance with said vote, by resolution, authorized the Mayor at his discretion to issue the amount of \$15,000 in bonds. This amount has been issued and paid over to the agent of the Northwestern Rail road Company, for which the city has received the same amount of stock in said company's road. This is all the city will be required to pay. These bonds draw interest at the rate of 7 per cent per annum, payable at Chicago. I believe a bill has passed the Legislature at its late session to authorize the citizens of Appleton to retire a small amount of these bonds, in addition to the interest, annually. What the precise features of this bill are I am unable to say. You will no doubt be duly informed. The first installment of interest is due in February, 1862, which it will be your duty to provide for. There are other important improvements in progress, such as manufactories and residences, and although it is a time of internal communion, a time of actual war, and many of our worthy and enterprising citizens have nobly offered their services for the defense of our beloved country, and no doubt will leave us for a time. Although it is a time of financial distress and our currency is demoralized, yet all these combine are not to stop the onward march of our beautiful city. We still have a goodly heritage—we still have great natural advantages—we yet have energy and enterprise in our midst, we are rich in the products of the earth we are blessed with the best of schools in the land, our religious privileges are great, only let us prove ourselves worthy of these favors, let us guard well these institutions. Gentlemen, on us, especially, devolves the responsibility to see that the dignity of the law is maintained, that all the Ordinances are enforced, that all municipal regulations are carried out. Our laws claim it, they demand it, nor are we at liberty any one of us to shirk the responsibility. And while I call your especial attention to these facts, I do not mean to be understood that other municipal officers are exempt. It is the duty of every officer to see that the laws are enforced. I will not, gentlemen, trespass upon your time by any further preliminary remarks, believing that each one of you know and are willing to do your duty. I will, however, call your attention to other matters that will demand your notice.

### ROADS.

Our roads leading out of the city are in a bad condition, although during the past year there has been some improvement, yet a good deal more is needed. The road thro' the Third Ward, leading to Menches, is in a bad state of repair. There has been much complaint in regard to it. The road in the 2d Ward from the Edgerton House, leading to Kaukauna, needs repair. Also the road from the National Hotel to the plank road should be thoroughly graded. Although the Council the past year made large appropriations for roads yet they are still in a bad condition. I trust, gentlemen, you will require the Street Commissioner to do his duty in regard to this matter.

### STREETS.

In regard to streets, I presume it is needless to impress upon you the importance of requiring the proper officer to see that the streets are kept free from filth, also that they are not encumbered with wagons, boxes, barrels, wood, and other impediments and that the ordinance is strictly enforced in regard to horses, cattle, hogs and all other animals prohibited from running at large by said ordinance.

The maintaining of bridges in the city, is attended with great expense, and although the Common Council, the past year, made liberal appropriations for repairing and rebuilding Bridges, yet we are virtually without any safe bridge for teams to pass, leading into the business part of the city. The only safe bridge is inaccessible to the public, from the fact that there is no laid out street or public road leading to it on the south side of the river. The only way to reach it is by trespassing on the Improvement Company by traveling on the canal bank. The College Avenue Ravine Bridge is yet in an unfinished state, and although there has been a large amount expended, it requires still more to make it permanent and convenient. I trust that who-

ever the Committee on bridges may be, they will attend to this business. I should, in this connection, say that the contract for building the old Bridge is let, and presume the Committee will see that it is well done.

### FIRE DEPARTMENT.

In regard to this department it appears there has been little or nothing done the past year. It is true, we have been pre- served from this destructive element thus far. How long this will be the case none of us can tell. In my last communication I suggested the importance of two large exercises on College Avenue in the Second Ward; but this suggestion has not been complied with. I would again recommend the construction of this important work.

### CEMETERY.

The attention of the Common Council has, from time to time, been called to the importance of procuring suitable grounds more remote from the business part of the city for the burial of the dead; but as far as I know, there has nothing been done in that direction. I would still urge the necessity of procuring such grounds if possible.

### LICENSE.

In my last inaugural I gave to the Council my views in regard to license. I have had no occasion to alter my opinion. The last Council did, however, in their wisdom, granted more license for selling intoxicating drinks than I think the wants of the city will be required from time to time to make demand. I think if there had been less appropriations to meet the interest of a small portion of the cost of the road, yet I would call your attention to another fact in regard to intoxicating drinks. The citizens of Appleton, by an almost unanimous voice voted to bond the city to the amount of not exceeding \$20,000 to aid the company in this important work. The Common Council in accordance with said vote, by resolution, authorized the Mayor at his discretion to issue the amount of \$15,000 in bonds. This amount has been issued and paid over to the agent of the Northwestern Rail road Company, for which the city has received the same amount of stock in said company's road. This is all the city will be required to pay. These bonds draw interest at the rate of 7 per cent per annum, payable at Chicago. I believe a bill has passed the Legislature at its late session to authorize the citizens of Appleton to retire a small amount of these bonds, in addition to the interest, annually. What the precise features of this bill are I am unable to say. You will no doubt be duly informed. The first installment of interest is due in February, 1862, which it will be your duty to provide for. There are other important improvements in progress, such as manufactories and residences, and although it is a time of internal communion, a time of actual war, and many of our worthy and enterprising citizens have nobly offered their services for the defense of our beloved country, and no doubt will leave us for a time. Although it is a time of financial distress and our currency is demoralized, yet all these combine are not to stop the onward march of our beautiful city. We still have a goodly heritage—we still have great natural advantages—we yet have energy and enterprise in our midst, we are rich in the products of the earth we are blessed with the best of schools in the land, our religious privileges are great, only let us prove ourselves worthy of these favors, let us guard well these institutions. Gentlemen, on us, especially, devolves the responsibility to see that the dignity of the law is maintained, that all the Ordinances are enforced, that all municipal regulations are carried out. Our laws claim it, they demand it, nor are we at liberty any one of us to shirk the responsibility. And while I call your especial attention to these facts, I do not mean to be understood that other municipal officers are exempt. It is the duty of every officer to see that the laws are enforced. I will not, gentlemen, trespass upon your time by any further preliminary remarks, believing that each one of you know and are willing to do your duty. I will, however, call your attention to other matters that will demand your notice.

### FINANCE.

During the past fiscal year, there was a special Committee appointed to investigate and report in regard to the state of our finances. After a good deal of labor and research, they finally reported to the Common Council, which report was accepted and placed on file in the office of the City Clerk.

It appears from that report, and the report of the City Clerk, made since the settlement with our late City Treasurer, that there is a general balance in favor of the Treasury of \$500,000, when there should be, according to the Clerk's report, about \$180,000. It appears from the report of the special Committee, and the report of the City Clerk, there has been allowed to the different Treasurers, in settling with them, by the Common Council, the large amount of \$120,000, claimed by them as one per cent, for receiving and disbursing—the most of which, I think they are not legally entitled to. I know of no law allowing a town or City Treasurer any more than five per cent. for collecting taxes; but it appears it has been the practice of some of our Treasurers, of charging one per cent. on the gross amount in their warrant for receiving, and one per cent. for disbursing, which, certainly, funds to seven per cent. for collecting taxes. There appears, from the Clerk's report, a deficiency in the general fund, of \$120,000. The probable cause of this is the allowing of this two per cent. for which the Council have made no provision when they have made appropriations for current expenses. I think the Council should immediately correct this error, for they have no right to appropriate the people's money except in accordance with law.

ROBERT B. BATEMAN.

Appleton, May 3d, 1861.

JUDGE DOUGLASS.—The leading Indiana paper thus speaks of the recent patriotic and eloquent speech of the distinguished Senator from Illinois:

The speech of Senator Douglass before the two houses of the General Assembly, was well received and has a good effect. He showed, clearly, I think, to the satisfaction of every person present, that the Secession movement on the part of the South, is nothing more nor less than open rebellion to the laws of our country, and he recommended the most extreme measures, for the purpose of suppressing the rebellion and enforcing the laws. He showed that the Southern, or Slave States, had really no cause for complaint, or reason for their rebellious acts; that at the present time there was no restriction by Congress, on the institution of slavery in the Territories; that even in the city of Chicago, the Fugitive Slave Law had at no time been more faithfully executed than under the present Administration.

The men of the North-West who have believed and produced the Little Giant for years past will be forced by circumstances to concede that they have dealt most un-justly by him.

"Time makes all things even."

### Appeal to the Ladies.

The Governor makes another appeal to the patriotic ladies of Wisconsin, which we know will be promptly responded to by all who are able:

EXECUTIVE OFFICE.

Madison, April 27th, 1861.

To the Ladies of Wisconsin:

The great demand throughout the country for blankets, will render it extremely difficult to furnish enough, immediately, for the health and comfort of the soldiers who are ordered into service. Any contributions of blankets or quilts, mugs for use and benefit of the soldiers, until purchases can be made, will be most thankfully received. They can be forwarded to James Holton, of Milwaukee, or to H. E. Paine, at Madison, Wis.

ALEX. W. RANDALL.

Jeff. Davis has notified Gov. Letcher of his intention to command the troops.

The same informant reiterates the report that five men have taken oath to assassinate Lincoln and Scott.

The World's correspondence says the Virginia troops that evacuated Alexandria are proposed to do it with the co-operation of the Pennsylvania troops on the other side.

### The Junior Exhibition.

Tuesday Evening May 7th.

The driving rain storm of the day settled into angry, spiteful, showery gusts in the evening, rendering the prospects of a full house rather dubious. But spite of these dampers the old College Chapel was closely packed by our citizens, their wives

and sweethearts, the latter class quite numerous. Fair women and brave men con-

sidered from this destructive element thus far.

How long this will be the case none of us can tell. In my last communication I suggested the importance of two large exercises on College Avenue in the Second Ward; but this suggestion has not been complied with. I would again recommend the construction of this important work.

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would call your attention to another fact in regard to intoxicating drinks. The "Salutatory" was a brief, (herefore)

uttered by the State makes it a penalty of fifty dollars to sell to Indians, spirituous liquors. There is no doubt this law is well known and we believe correctly, according to

the "Universal Education." It is well known that the "Salutatory" was a brief, (herefore)

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### WAR ITEMS.

There will be at least three regiments raised in Baltimore of 1,000 men each, and accepted by the government.

Forty thousand troops will be concentrated at Washington.

Secretary Chase has ordered the stoppage at Cairo of all supplies for the rebels.

Major Anderson has this evening, with the consent of the President, accepted command of the Kentucky Brigade.

A Philadelphian just returned from Virginia, says his property was seized at Richmond, and he was compelled to fly for his life.

Funds will be sent for the rebels by the general feeling of good-will among the assembled hundreds, and by the time their

merit is known, the worthy President Mason called the house "good speed," with approbative smiles of encouragement, and hearty applause.

The symptoms of elongated, anxious visages among the class, in the early part of the evening were banished speedily by the general feeling of good-will among the assembled hundreds, and by the time their

merit is known, the worthy President Mason called the house "good speed," with approbative smiles of encouragement, and hearty applause.

Maryland has eight powder mills, Virginia nine, and Delaware nine.

C. J. T. Jackson has invited ex-President Buchanan, Pierce, Fillmore, Van Buren, and Tyler as guests at a "Glee Club," consisting of Miss Jessie Cooke, pianist, Misses Jennie and Harriet Morrison, and Messrs. Elihu Colman and S. Curtis Mower. The piece was entitled "Opera Chorus," and was sung charmingly. Rev. F. B. Dix will be appointed Major General of the New York forces.

It is said that the Capt. General of China snubbed the Southern Commissioners. He did not receive any such power as the Confederate States.

Maryland has eight powder mills, Virginia nine, and Delaware nine.

G. W. Randall offered a handsome sum for the Southern Commissioners. He did not receive any such power as the Confederate States.

Major Wentworth telegraphed to the Governor General of Canada, desiring to purchase ten thousand men, but would lend him 27,000.

Letcher notified Lincoln that no Virginian will be permitted to march to Washington. Their purpose is to defend the soil of Virginia from aggression by the North. He further says he won't permit Confederate troops to attack Washington.

The city of Charleston is quiet. Flour

is \$12 per barrel.

R. G. Randall offered a handsome sum for the Southern Commissioners. He did not receive any such power as the Confederate States.

Private adages from New Orleans say that the attempt to negotiate the Confederate loan was a signal failure

## Our Woodland Home.

See that your Home Paper is in Every

Family in Outagamie County.

### Outagamie Division.

6. 110, Sons of Temperance, meets every Saturday evening at their hall in the Third Ward.

W. W. Post & Co. J. A. WATKINS & W. P.

### Notice.

Advertisers are invited to the late firm of Ryan & Co., to be notified to make immediate settlement of debts which will be sued forthwith. All persons having debts against the firm will hand them in for settlement.

RYAN & CO.

May 31, 1861.

### Special.

One is authorized to contract debts on our account except on written orders from either one of the

RYAN, BROS. & CO.

17 Three pleasant days this week.

Tuesday next the County Treasurer will commence selling lands for taxes.

17 Flag Raising seems to be the order of the day all over Wisconsin.

17 We are under obligations to W. D. White, late of the Leavenworth (Kansas) Dispatch, for a fine string of fish.

17 A building is being put up in the western part of the Third Ward by Mr. John Goeler, for a grocery store.

17 A fine large flag floats from the residence of Mrs. Story in the First Ward; also from the National Hotel.

17 In consequence of an unusual demand for the Crescent this week, we are obliged to send out some half-sheets.

17 Quite a number of young men entered school this week who have never been in Appleton until the present week.

17 P. Sheet offers a first-rate farm in Centre, for sale. His terms are easy. See advertisement.

17 The early part of the week, and in fact, the greater portion of the week, College Avenue presented an unusual liveliness.

17 Another rain storm Thursday morning. It seems that we are to have rain enough this spring to last us for a year to come.

17 We invite the especial attention of our readers to the "Prospectus" of the Rural New Yorker, one of the most popular and widely circulated publications of the kind in the east.

17 The Mayor's Inaugural is before you. We have not time to notice it extenuately. The recommendations are good, and the document as a whole, is a plain, and common sense review of our city affairs.

We publish a list of the so-called "Good Banks," in Wisconsin. Our readers must, not, in case an other batch of them should fail, accuse us of deriding them by conveying an idea that their paper is as good as gold.

17 STUPID BE GRAVELL.—The approaches to the Depot are in a terrible bad condition—in an almost impossible state. As much travel as there is in this part of the town, seems to us, renders it highly important that those roads or streets should be improved as soon as possible.

17 Our "local contemporary" will allow us to correct an opening remark in his article on "Lawrence Mills," to the effect, "that we acted on his suggestion," and noticed these mills. Our notes were taken before the Motor of the 11th ult., appeared, and we knew nothing of his intention to notice them. That's all.

17 We are under obligations to Mr. G. M. Smith, our enterprising bookseller, for some of those beautiful Flag envelopes, which he has for sale at his store. They are neat, and in these days of war will be sought for with avidity.

The reader's opinion of our cause is just. And this our motto—*"Truth is Truth."*

And the Star Spangled Banner is triumphantly over the land of the free, and the home of the brave.

17 We notice many in our city are boxing their trees to protect them from cattle. We are glad to notice this care, as it is utterly useless to plant trees and leave them to be thrown down by cattle. We hope every one of our citizens having shade trees on their grounds will thoroughly protect them, in this way. In after years their generous shade will amply repay your trouble.

17 Hon. A. B. Jackson, the newly appointed Register of the Land Office at Monona, arrived home from Washington last Wednesday. He has been soldiering there for some weeks past in the "Citizens Corps," under the command of Cassius M. Clay, together with the rest of Wisconsin's boys in that threatened locality. Soldier life appears to have agreed with him as he is looking remarkably well.

He represents that the Editor of the Motor, F. A. Ryan, also there, shouldered his musket and drilled with the same company.

17 Among the many, and in fact, almost numberless busy places of Appleton, the Rake Factory merits a corner with the busiest. The enterprising, and thorough business manager, O. W. Clark, has a faculty of doing business in a manner which hundreds of young men in this city would do well to recognize as a pattern.

This institution is turning out a much larger amount of work the present year than during any previous season since its commencement, and we are pleased to know that the proprietor has demonstrated beyond a remote doubt, the fact that this branch of manufacture does pay good interest on investment; he can now "see his way through," and is building up and rapidly increasing his business.

The rakes, fork, hoe and broom handles, ox-yokes, bows, &c., manufactured at this establishment are of the very best quality, and their beauty of finish, and texture of material recommend them throughout the State.

### L. O. G. T.

17 The following are the officers elect for the present term:

W. C.—F. E. Edgerton;

V. T.—Mrs. S. T. Baker;

B. S.—E. G. Jackson;

F. S.—P. B. Elliott;

T.—Mrs. J. E. Harriman;

L. G.—Mrs. J. Ryan;

G.—J. A. Watrous.

The Lodge is now in a prosperous condition, with a large and constantly increasing membership. The sociable feature is cultivated in the intercourse of members, the tendency of which is unmistakable.

THE UNION GUARD, a permanent company, is to assemble at the Court House next Saturday, May 18th, at 2 o'clock p.m.

All who wish to become members, as well as all who will volunteer for actual service should send in their names in case they cannot be present in person. Our Editor intends to have a crack company ready for actual service by the time the fall campaign commences, and hopes those who will serve under him will be on hand, or, if that is not possible, send in their names at that time.

THE ATLANTIC MONTHLY.—The May number of this excellent magazine has found its way to our table. It contains the first chapter of Mrs. Stowe's new work, "Agnes of Sorento," a story which we would advise all to read. The story is one of love and duty, of joy and trial. Its heroine is a young girl, born in a Catholic country, and educated under the influence of Catholic institutions, and in the development of the plot the author has sought to illustrate the influence of that creed upon the lives and character of its votaries. The balance of this number is well filled with numerous miscellaneous articles which will repay a perusal.

A BALKON TRIP.—Our readers will recollect that we chronicled last week the excursion from our city of Prof. Lowe, in his new balloon, for an experimental trip across the continent. Since that time we

published a dispatch from the adventurous mountaineer, David G. Columbia, the Capital of South Carolina, saying that he would arrive here in Louisville, in day or two.

Mr. Alvin Foster was chosen Chairman, Rev. F. B. Due being called for made a stirring, earnest speech, eliciting true love of country, was applauded frequently during his remarks. He was followed by Rev. Lewis Dael, in a brief, eloquent, heart-felt appeal for the safety and flag of his adoption. It was to the point, and he was frequently interrupted with hearty applause.

Mr. O'Hare being called for, gave a plain, substantial speech, overflowing with patriotism, and was loudly cheered. A. B. Jackson then gave a thrilling detail of incidents of the recent pestil of the city of Washington, where he has been for the last six weeks, a portion of the time shouldering his musket, momentarily expecting an attack from the rebels. He closed with a soul-stirring appeal for the Union. Messrs. S. Ryan, Jr. and John J. Scott, Jr., made brief remarks, and to the point. On arrival the meeting then adjourned with three hearty cheers for the Union.

17 ELECTION DAY.

Raising of the Ameri. Flag over the Catholic Church.—At the close of a stirring appeal in behalf of the Union and its men, the Rev. Louis Dael, of the Catholic Church in this city, gave notice that the American Flag would be raised over the Church on the Wednesday following;

WEDNESDAY was a beautiful day, at an early hour, the Church was thronged, and upon High Mass, the congregation repaired to the organ where a platform was erected.

At a signal given, a large flag was run up on the steeple of the Church, and the cheers of the assembled brethren.

The Rev. Louis Dael then delivered the following remarks:

17 The day is now come when the day of trial has come. The day of trial has come when we have to stand up to our God.

The Flag we have just raised on the top of our church, is a testimony of the patriotism and devotedness of the Catholics of this city to the flag of the United States, and of the noble sacrifice of our Catholic brothers. Like them, we are ready to stand in our defense.

Never during the whole course of the Revolution, nor during the whole course of our independence, did we bear a Catholic standard or a Catholic center. *Never shall it be!* When the Protestant General died at the battle field of Camden, with the protestant Minion of North Carolina still Virginia, also, but the battle was still fought at the hands of the brave old Catholic hero, Dr. Ryan. The veteran who when others in Indianapolis, had sold out, and turned traitor, National was soon when he was delivered, has sold it in the hands of the Rev. Dr. Ryan to the very last.

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CHAPTER 51  
An Act to provide for the protection of camp meetings and other religious assemblies.

*That it is in the State of Wisconsin a regulation of the Legislature of the State of Wisconsin.*  
See 1. If any person who shall sell any intoxicating drink within two miles of any camp meeting, or other religious assembly, without the written permit of the person or persons having the oversight and management of such camp meeting or religious assembly, or who shall otherwise willfully intercept or disturb such meeting or assembly, shall be punished by a fine of not more than fifty dollars nor less than five dollars. Provided, that nothing herein contained shall be construed to prohibit any such sale at any regularly established store, tavern, or other place of business, which may have been licensed, or established previously to such meeting, and not with the intent to evade the provisions of this act.

See 2. Any person who shall violate the provisions of this act, and who shall be noticed by any person having charge of such meeting or assembly, or by any other person, that he, she, or they, are violating the law, and who shall, after such notice, continue in such violation, he, she, or they, shall forfeit and pay for every such offence, a fine not less than five dollars nor more than fifty dollars, to be collected as heretofore provided, and paid over to the County Treasurer where the sum, as other fines, are required to be paid, for the use of schools.

See 3. Any Sheriff, Coroner, Justice of the Peace or Constable of the county, shall, upon notice or information and without warrant, arrest any person offending against this act, and shall seize any article of ruffie or other property found in the possession of the person or persons so offending, and convey the same to a place of safety, and take the person or persons so offending before any Justice of the Peace, and shall make an inventory of the property so seized, and the said Justice, upon complaint, upon oath or affirmation of the officer apprehending such offender, or the oath of any other person, shall proceed forthwith to inquire into the truth of the accusation, and if found true, such Justice shall enforce the penalty prescribed by this act.

See 4. If such offender shall fail to pay such fine as said Justice of the Peace shall inflict, together with costs, including the necessary expenses of the sum, and one-half of any property of my kind, seized under the provisions of this act, the said Justice of the Peace shall forthwith cause execution in actions of debt, and deliver the same to a constable of the county, who shall immediately levy, and set with upon the property so seized, or a sufficient portion thereof, to make the amount of such fine and costs, and shall, after giving ten days notice of the time and place of sale, by posting written or printed notices in three public places in the township, proceed to sell said property so levied upon to the highest bidder, for each, and after paying the amount of such execution and occurring costs thereon, shall pay the residue of such property to the defendant and take his receipt therefor. Provided, that if the property so seized shall not be sufficient to pay such fine and costs, or if the persons violating any of the provisions of this act, and who shall be arrested for such violation, shall not have any property in his possession, from the proceeds of which the fine and costs inflict ed by such Justice can be made, it shall be the duty of such Justice to commit to the jail of the county, to be there kept till such fine and costs shall be fully paid, or be otherwise, in part paid, or discharged.

See 5. The fees of officers under the provisions of this act shall be the same allowed to sheriffs for like duties in other actions.

## AMASA CONY,

## Speaker of the Assembly

## A. J. BENNETT,

## President pro tem. of the Senate

Approved, March 18, 1861  
A. J. W. RANDALL

(Published March 19, 1861)

## CHAPTER 60

An Act to amend chapter 122, of the Revised Statutes, entitled "of the forms of civil actions, and parties thereto."

See 1. Whenever it shall appear to the Court in which an action is brought, either by the affidavit of a party to the action, or by the answer, properly so filed of any party to the action, that the complete determination of the controversy cannot be had without the presence of other parties, or that any person, not a party to the action, is interested in the subject matter of the controversy, and whose interests in such subject matter are such as should be protected, it shall be the duty of the Court, at the instance of any party to the action, to enter an order upon the minutes of the Court, making the person or persons so interested a party to the action, and shall, at the same time, provide that a copy of such order, together with a notice of the object of the action, shall be served upon the person or persons so made parties, shall be minors, it shall be the duty of the Court to appoint guardians for such minors, which appointment shall be made in accordance with the provisions of the statute.

See 2. When an order shall be entered, bringing in other parties, as provided in section 1 of this act, the action shall stand continued until the time prescribed by the Court for the persons so made parties to answer, shall have expired, and after the expiration of the time so prescribed, the action shall be proceeded with in like manner and with like effect, as actions in which all the parties thereto were made parties in the first instance.

See 3. This act shall be held to apply to cases now pending, and shall take effect from and after the passage and publication thereof.

Approved March 8, 1861

THE NEW YORK MERCURY  
For the New Year

It is now well known that a hundred of the best, boldest, most enterprising and most popular men in the country, have joined in the formation of a new newspaper, to be called "The New York Mercury." It is to be edited by a man of great talents and a decided love of his country, and is to be published weekly, and will be a powerful organ for the promotion of the cause of freedom.

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